



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARK KAPITI,

Plaintiff,

- against -

RAYMOND W. KELLY, et al.,

Defendants.  
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07 Civ. 3782 (RMB) (KNF)

**ORDER OF DISCONTINUANCE**

Based upon the parties' letter, dated September 10, 2008, indicating that "these parties settled the above-referenced action today," it is hereby

**ORDERED**, that the above captioned action is hereby discontinued and the American Honda Finance Corporation's Motion to Dismiss [#44] is hereby dismissed as moot.

Dated: New York, New York  
September 10, 2008

A handwritten signature in black ink, appearing to read "RMB".

**Richard M. Berman, U.S.D.J.**